

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DELAFIELD 246 CORP.,

1:07-CV-06238-LAP

Appellant,

-against-

**NOTICE OF MOTION TO
DISMISS APPEAL**

CITY OF NEW YORK, ET AL.

Appellee.

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CERTIFICATE OF SERVICE

STATE OF NEW YORK)
 SS.:
NEW YORK COUNTY)

The undersigned an attorney duly admitted to practice before courts of the State of New York and the United States District Court for the Southern District of New York hereby certifies that on the 17th day of July, 2007, he served the Declaration of Assistant Corporation Counsel Lawrence J. Brenner In Support of the City's Motion to Dismiss the Appeal, the Memorandum of Law of The City of New York In Support of It's Motion to Dismiss the Appeal As Untimely, and notice of the City's Motion to Dismiss to Dismiss the Appeal upon:

Daniel A. Zimmerman, Esq.
Steven Cohn P.C.
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who constitutes all parties entitled to notice, by electronic mail and/or First Class mail.

Dated: New York, New York
July 17, 2007

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for defendant, City of New York City
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By: /s/ Lawrence J. Brenner
LAWRENCE J. BRENNER (LB-7853)
Assistant Corporation Counsel